

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q84102

Shunji HAYASHI, et al.

Appln. No.: 10/510,497

Group Art Unit: 1794

Confirmation No.: 1554

Examiner: Hamid R. BADR

Filed: October 7, 2004

For: CHEESE CAPABLE OF DISINFECTING *HELICOBACTER PYLORI*

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98**

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicants hereby notify the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), and therefore Applicant is filing concurrently herewith a Statement Under 37 C.F.R. § 1.97(e). No fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a Taiwanese Office Action

dated June 26, 2008 in a counterpart Taiwanese application serial number 09720330070, together with a copy of English language translation of the Taiwanese office action.


Applicant notes that WO 01/88150A and the corresponding European Publication of CN 1306400A (as cited in the Taiwanese Office Action) were previously submitted as part of Information Disclosure Statements filed on October 7, 2004 and February 8, 2006. Thus, copies of WO 01/88150A and CN 1306400A are not included herewith again.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060



Sunhee Lee
Registration No. 53,892



Yan Lan
Registration No. 50,214

WASHINGTON DC SUGHRUE/265550

65565

CUSTOMER NUMBER

Date: September 26, 2008

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STATEMENT UNDER 37 C.F.R. § 1.97(e)


Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

The undersigned hereby states, upon information and belief:


That each item of information contained in the Information Disclosure Statement filed concurrently herewith was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860



Sunhee Lee
Registration No. 53,892



Yan Lan
Registration No. 50,214